

# Kentucky Board of Medical Licensure Newsletter

Hurstbourne Office Park, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222

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Summer, 2000

Danny M. Clark, M.D., President

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## Governor Patton Appoints New Board Members

Governor Paul E. Patton appointed two new physician members to the Board in May 2000. Uday V. Dave, M.D. is an otolaryngologist in Madisonville and replaces Suvas G. Desai, M.D. whose term has expired. Linda A. Mumford, M.D., replaces Royce E. Dawson, M.D., who has resigned. Dr. Mumford practices otolaryngology in Owensboro and will serve for the remaining term ending August 31, 2001.

Governor Patton reappointed C. William Briscoe, M.D., of Corbin, and Danny M. Clark, M.D., of Somerset, to serve for a term expiring August 31, 2002. Randel C. Gibson, D.O., of Mayfield and Virginia T. Keeney, M.D., of Louisville were reappointed to serve for a term expiring August 31, 2003.

## KBML Web Site

The Board now has a web page at [www.state.ky.us/agencies/kbml](http://www.state.ky.us/agencies/kbml). Recent additions to the web site include a direct link to the Kentucky Medical and Osteopathic Practice Act, Statutes and Regulations, Continuing Medical Education information and physician, physician assistant and athletic trainer applications. If you have Internet access please take a look and let us know your opinion. Any suggestions or additional items that you would like available on our web page will be welcome.

## Appreciation

The Board would like to once again express its appreciation to the dedicated physicians who served as consultants to the Board this past year. Board consultants provide opinions regarding the care rendered by physicians who are the subject of investigations, reviewing patient records and providing recommendations pertaining to compliance with standards of care. These physicians receive only minimal compensation for the valuable service they provide. Physician consultants are utilized when medical opinions or judgments are required to determine if there is a potential violation of the Medical Practice Act. Again, a special thanks to these outstanding physicians.

## Kentucky All Schedule Prescriptions Electronic Reporting

KASPER is a new program that monitors prescriptions for controlled substances. It is run by Drug Control in the Department for Public Health. The law now requires all dispensers to report the controlled substances that they dispense to this high security database. The information in the database is available to practitioners, including podiatrists, who need to know what controlled substances their patients have obtained in the past. Frequently practitioners are asked by patients to prescribe certain narcotics or other controlled substances. While most instances are legitimate, sometimes the practitioner may feel uncomfortable and wonder if the patient is a drug seeker who tries to obtain drugs from multiple practitioners. In the past, the only way a physician could get information was to telephone the pharmacies in the area and inquire. Now, the physician can make a request to Drug Control and obtain a printout. To obtain a report, call Drug Control at 502-564-7985 and ask for a KASPER request form. Fill it out and mail or fax it to Drug Control. The report will be sent back to you by mail or fax.

Please note that the KASPER system is not perfect. Prescriptions that were dispensed during the most recent 30-40 days may not show up due to the lag time for reporting. Also there are a few dispensers who are not yet reporting to the system as required. Most of the problems will be ironed out in the coming months. If you have questions about the program, you may talk to one of the pharmacists at Drug Control, (502) 564-7985.

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## NOTICE TO DISPENSING PRACTITIONERS

Practitioners who dispense controlled substances are required to report to the Cabinet for Health Services/Drug Control Branch beginning January 1, 1999. KRS 218A.202, which was passed during the 1998 General Assembly, requires the Cabinet to implement a computerized monitoring system for controlled substances dispensed within the Commonwealth (i.e. KASPER). All dispensers of controlled substances (in-state pharmacies, out-of-state pharmacies and practitioners who dispense from their office) are required to report specific information for each dispensation. **If you dispense controlled substances, you should contact the Drug Control Branch for information about how to report.** (Dispensing means supplying take-home doses; it does not include single doses that the patient takes immediately nor does it include prescriptions that are written.)

The data submitted is stored in a high-security database and access to the information is strictly limited by statute. Drug Control uses the data to identify patients who appear to be drug seekers by obtaining prescriptions from multiple practitioners and pharmacies. Also practitioners will be able to obtain confirmation that a patient is seeing other practitioners for controlled substances. Drug Control can be reached at (502) 564-7985 or by fax at (502) 564-2203.

## KBML Ranking Among Other State Boards

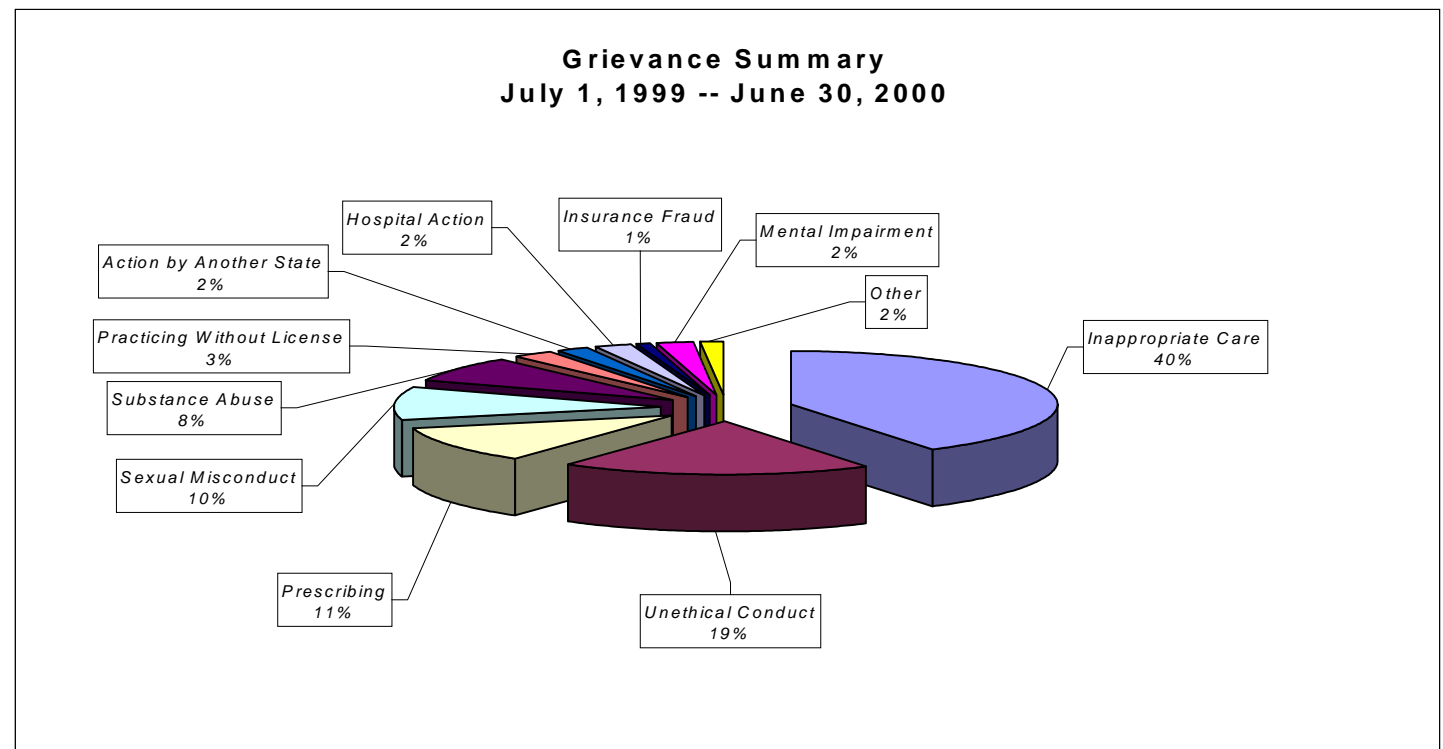
Based on statistics compiled by the Public Citizens' Health Research Group, a health care consumer advocate group in Washington, D.C., this Board remains one of the more active boards in the country in taking disciplinary actions against physicians who violated the Medical Practice Act. In 1999 Kentucky ranked sixth in serious disciplinary actions taken.

This group notes that Boards are able to do a better job of disciplining when adequate funding and staffing are available, making use of all available and reliable data from sources such as Medicare and Medicaid/hospital sanctions and a reasonable statutory framework for disciplining doctors.

The Board is committed to the public to take appropriate disciplinary action in a timely manner when violations of the Medical Practice Act occur.

## Types of Grievances

The chart below depicts the types of grievances received in the Board's office against physicians practicing in the state during the past fiscal year. A total of 197 grievances were received during this period.



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## Final Disciplinary Actions

### **Lawrence L. Ciccarelli, M.D., #22990** **Terre Haute, IN**

Agreed Order of Surrender entered into 05-03-00.

### **Donald I. George, M.D., #10842, Fayette Co.**

Agreed Order of Probation entered into 06-26-00 placing license on probation for 2 yrs. Terms and conditions include no prescribing, dispensing or utilization of controlled substances until approved by Panel, continuing medical education (CME) required before request for reinstatement of prescribing privileges will be considered, fine assessed.

### **Robert S. Howell, Jr., M.D., #21580** **Christian Co.**

Order Terminating Suspension; Amended Order of Indefinite Restriction issued 05-11-00. License restricted for an indefinite period. Terms and conditions include practice restriction to gynecology in office setting, prohibited from performing obstetric procedures and/or medicine in hospital setting, shall make arrangements for learning plan and complete same, maintain contractual relationship with Impaired Physicians Program (IPP), continued therapy.

### **Bernhard A. Kats, M.D., #20055, Johnson Co.**

Order Denying Application for Registration issued 06-06-00.

### **Joseph Kline, Jr., M.D., #26089, Kenton Co.**

Amended Order of Probation entered into 03-21-00. License remains on probation until 09-16-01; physician may resume psychotherapy practice provided his practice is not solo.

### **Johanna M. Korzep, M.D., #29385, Boyd Co.**

Agreed Order of Surrender entered into 06-19-00.

### **Liza Levy, M.D., #20789, Bourbon Co.**

Agreed Order of Probation entered into 03-16-00 placing license on probation for 5 yrs. Terms and conditions include no prescribing, dispensing or utilization of controlled substances until approved by Panel, CME required before request for reinstatement of prescribing privileges will be considered.

### **Paul A. Moran, D.O., #01577** **Coleman, TX**

Agreed Order of Probation entered into 06-09-00 placing license on probation for 5 yrs. Must comply with terms and conditions of Agreed Order entered into with Texas Board on 04-10-99.

### **Scott R. Partyka, M.D., #31855** **San Antonio, TX**

Agreed Order of Probation entered into 04-03-00 placing license on probation for 5 yrs. Terms and conditions include maintaining contractual relationship with IPP, therapy, no prescribing, dispensing or utilization of controlled substances until approved by Panel; CME required before request for reinstatement of prescribing privileges will be considered.

### **Sharad C. Patel, M.D., #20851, Hardin Co.**

Agreed Order of Surrender entered into 06-09-00.

### **Douglas H. Rank, M.D., #27590, Fayette Co.**

Order of Revocation; Probated, Order of Suspension and Probation issued 05-17-00. Physician filed appeal 06-12-00; Jefferson Circuit Court issued restraining order on 06-19-00 enjoining Board from enforcing revocation.

### **Margaret Ann Ryan, M.D., #34203, Jefferson Co.**

Order of Revocation issued 04-14-00.

### **Bruce C. Smith, M.D., #17274, Hickman Co.**

Agreed Order of Surrender entered into 06-19-00.

### **C. Tinsley Stewart, M.D., #22497, Jefferson Co.**

Agreed Order of Indefinite Restriction entered into 03-21-00; license restricted/limited for indefinite period. Terms and conditions include maintaining contractual relationship with IPP, participation in AA and therapy, random urine screens, no prescribing, dispensing or utilization of controlled substances. CME required before request for reinstatement of prescribing privileges will be considered.

### **Robert B. Wickman, D.O., #01116, Ecuador**

Order Denying Application for Reregistration issued 06-12-00.

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## Report Your Change of Address

KRS 311.586 requires you to immediately notify the Board when you change your mailing address. If you fail to file notification with this office, you may not receive important correspondence, including your annual renewal mailings and wallet card. ***In the future, your practice address will be used in the Kentucky Medical Directory.***

### Kentucky Board of Medical Licensure Physician Mailing/Practice Address Update

(Please Print or Type Information)

Date: \_\_\_\_\_ KY License Number: \_\_\_\_\_

Name: \_\_\_\_\_  
(last) (first) (middle)

**Mailing Address:**

Street: \_\_\_\_\_

City, State & Zip: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

**Practice Address**

Street: \_\_\_\_\_

City, State & Zip: \_\_\_\_\_

KY Practice County: \_\_\_\_\_

Office Telephone: (        ) \_\_\_\_\_

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## Kentucky Board of Medical Licensure

Hurstbourne Office Park  
310 Whittington Pky., Ste. 1B  
Louisville, KY 40222

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